

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Tribal Welfare Department – Girijan Cooperative Corporation Limited – Allegation of irregularities in the trade of Niger seed pertaining to the years 1997-98 against Sri Ch. Yellamandaiah, General Manager (Marketing) (Retired on 31-05-2011) - Disciplinary proceedings initiated – Punishment imposed – Appeal filed – Further action dropped – Orders – Issued.

=====

TRIBAL WELFARE (GCC) DEPARTMENT

G.O.Rt.No.119

Dated.18-03-2015

Read the following:-

- 1) Proceedings Rc.No.860/2007/Admn.6, dated 17.11.2004 of the Vice Chairman & Managing Director, Girijan Cooperative Corporation Limited, Visakhapatnam.
- 2) Orders of Honourable High Court of A.P. dated 2.3.2005 in W.P.No.23135/2004 filed by Sri Ch. Yellamandaiah, General Manager (Mktg.)
- 3) Orders of Honourable High Court of A.P. dated 28.5.2007 in W.A.No.759/2005 filed by Sri Ch. Yellamandaiahm General Manager (Mktg.)
- 4) Charge Memo.Rc.No.2635/04/LE/A7, dated 28.6.2007 of the Girijan Cooperative Corporation Limited, Visakhapatnam.
- 5) Proceedings Rc.No.860/2007/Admn.6, dated 1.5.2008 of the Vice Chairman & Managing Director, Girijan Cooperative Corporation Limited, Visakhapatnam.
- 6) Appeal petition dated 28.5.2008 of Sri Ch. Yellamandaiah, General Manager;, GCC, Visakhapatnam.
- 7) Proceedings Rc.No.860/2007/Admn.6, dated 6.8.2008 of the Vice Chairman & Managing Director, Girijan Cooperative Corporation Limited, Visakhapatnam.
- 8) Representation of Sri Ch. Yellamandaiah, General Manager, GCC, Visakhapatnam dated 4.9.2008 and 16.12.2008.
- 9) Govt. Lr.No.12170/GCC.2/2008-2, Social Welfare Department., dated 11.6.2009.
- 10) From the Vice Chairman and Managing Director, Girijan Cooperative Corporation Limited, Visakhapatnam, Lr.Rc. No.860/2007/Admn.4 dated 29.2.2012.

ORDER:

On the allegations of irregularities in the export of Niger Seed during 1997-98, disciplinary proceedings have been initiated against Sri Ch.Yellamandaiah, the then General Manager (Marketing) along with batch cases of Sri S.Radha Krishna, Dy.General Manager (Marketing), Sri K.David Lingstone, the then Senior Manager/Superintendent, Sri M.V.S.Sastry, Junior Manager/Superintendent and Sri V.Narayana Rao, Sales executive. After conducting detailed enquiry, in the Proceedings 1st read above, orders were issued imposing the punishment of "Compulsory Retirement" from GCC besides recovery of proportionate loss of Rs.6,71,964/- sustained by the Corporation for the year 1997-98

against Sri Ch. Yellamandaiah, General Manager (Marketing) CHO Visakhapatnam on the allegations of irregularities in the export of Niger Seed during 1997-98.

Against the said punishment, Sri Ch.Yellamandaiah has filed W.P.No.23135/2004 before the Hon'ble High Court of A.P. He has also filed W.A.No.759/2005 and the Hon'ble High Court of Andhra Pradesh in its orders 3rd read above has directed to conduct fresh enquiry against the petitioner.

In pursuant to the above orders of the Honourable High Court, fresh enquiry was conducted and the Disciplinary Proceedings were concluded with inflicting a punishment of "Reversion to Lower Cadre" for a period of two years without prejudice to recover an amount of Rs.2,71,527/- being 37.5% of 50% of reduced profit (Rs.14,48,143.30) suffered by the Girijan Cooperative Corporation vide Proceedings 5th read above.

Against the said punishment, Sri Ch.Yellamandaiah in his petition 6th read above has filed an Appeal before the Board. After examining the Appeal Petition orders were issued in the Proceedings 7th read above, modifying the punishment issued in the Proceedings 5th read above as "Reversion to lower cadre" for a period of two years without any recovery of reduced profit to be made and to treat the period of absence ie. from the date of relief on compulsory retirement till the date of joining on reinstatement is regularized as Extra Ordinary Leave (EOL).

Again Sri Ch.Yellamandaiah has filed a representation before the Chairman, Girijan Cooperative Corporation Limited stating that he was deprived of the opportunity of personal hearing in spite of his specific request though the Board has accorded personal hearing in case of Sri S.Radha Krishna, Deputy General Manager and Sri V.Narayana Rao, Sales Executive (both are the parties in this batch case) for their appeal cases and accordingly the same has been accorded to him. The Board of GCC after detailed deliberations has resolved to direct the Vice Chairman & Managing Director to refer the matter to Government for their decision. Accordingly, the Vice Chairman & Managing Director has referred the matter to Government.

Government after careful examination of the report of the Vice Chairman and Managing Director, GCC 10th read above and basing on the material available on record, has observed that in case of Sri S.Radha Krishna, Deputy General Manager, GCC, Visakhapatnam, the profit was reduced and there was no loss in the transaction, based on the report of the Audit Officer further action was dropped against Sri S. Radha Krishna, Deputy General Manager, GCC, Visakhapatnam and the period of absence from 27.1.2005 ie. from the date of his relief on compulsory retirement from service to 17.4.2006 ie. the date of his joining treated as duty.

In respect of another individual Sri V.Narayana Rao, Sales Executive, who was also involved in this batch case, the Government exonerated him from the case and all the charges framed against him are dropped vide G.O.Rt.No.387, Social Welfare (TW.GCC) Department, dated 22.5.2012.

:: 3 ::

Government have also viewed that the case of Sri Ch. Yellamandaiah, is also similar to that of Sri S.Radha Krishna, Dy. General Manager (Retd), GCC, Visakhapatnam as a batch case and therefore decided to drop further action and exonerate Sri Ch. Yellamandiah, former General Manager and to treat the period of absence as was done in the case of Sri S.Radha Krishna, Deputy General Manager.

Accordingly, Government hereby drop and exonerate further action against Sri Ch.Yellamandaiah, former General Manager (Marketing) (Retired on 31.5.2011) from the charges framed and also to treat the period of absence ie. from the date of relief on compulsory retirement till the date of joining to duty, as duty.

The Vice Chairman and Managing Director, Girijan Cooperative Corporation Limited shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. A.VIDYASAGAR
PRINCIPAL SECRETARY TO GOVERNMENT (TW)

To
Sri Ch.Yellamandaiah, former General Manager (Mktg), GCC
Visakhapatnam, (now retired) through the VC & MD GCC
Visakhapatnam.
The Vice Chairman and Managing Director, GCC Visakhapatnam.
Copy to:
The P.S. to M(SWE & TWE)
The P.S. to Prl.Secretary (TW)
The P.A. to Addl.Secy.(TW)
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER